

IAP6 Rec'd PCT/PTO 29 MAR 2007  
PCT



Docket No.: 4252-0119PUS1  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Masaru TANAKA et al.

Application No.: 10/580,648

Confirmation No.: 5783

Filed: May 25, 2006

Art Unit: N/A

For: CELL GROWTH INHIBITING FILM,  
MEDICAL INSTRUMENT AND DIGESTIVE  
SYSTEM STENT

Examiner: Not Yet Assigned

LETTER

MS PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants wish to advise the United States Patent and Trademark Office that a Declaration was filed on February 12, 2007, to perfect Applicants' filing requirements.

The filing requirements were perfected prior to the receipt of the Notification of Missing Requirements (371 Formalities Letter), a copy of which is attached hereto.

As evidence of Applicants' previous submission of a Declaration in connection with the present application, Applicants enclose a copy of the Declaration and Power of Attorney, filed February 12, 2007, and a copy of the Electronic Acknowledgment Receipt indicating receipt of the Declaration by the U.S.P.T.O.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: March 29, 2007

Respectfully submitted,

By

  
Marc S. Weiner  
Registration No.: 32,181  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
8110 Gatehouse Road  
Suite 100 East  
P.O. Box 747  
Falls Church, Virginia 22040-0747  
(703) 205-8000  
Attorney for Applicant

Attachments: Copy of 371 Formalities Letter  
Copy of Postcard Receipt  
Copy of Declaration and Power of Attorney



UNITED STATES PATENT AND TRADEMARK OFFICE

MSW

4252-D19PUS1

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

|                                       |                       |   |                             |
|---------------------------------------|-----------------------|---|-----------------------------|
| U.S. APPLICATION NUMBER NO.           | FIRST NAMED APPLICANT | ATTY. DOCKET NO.                                |                             |
| 10/580,648                            | Masaru Tanaka         | 45520119PUS1                                    |                             |
| AB<br>DOCKETED<br>PERFECT<br>4-1-2007 |                       | INTERNATIONAL APPLICATION NO.<br>PCT/JP04/17572 |                             |
|                                       |                       | I.A. FILING DATE<br>11/26/2004                  | PRIORITY DATE<br>11/28/2003 |

CONFIRMATION NO. 5783

371 FORMALITIES LETTER



\*OC000000022272520\*

COPY

Date Mailed: 02/01/2007

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/25/2006
- English Translation of the IA filed on 05/25/2006
- Copy of the International Search Report filed on 05/25/2006
- Information Disclosure Statements filed on 05/25/2006
- Request for Immediate Examination filed on 05/25/2006
- U.S. Basic National Fees filed on 05/25/2006
- Priority Documents filed on 05/25/2006

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5).

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web:  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

LAMONT M HUNTER

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Telephone: (703) 308-9140 EXT 201

**PART 1 - ATTORNEY/APPLICANT COPY**

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| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/580,648                  | PCT/JP04/17572                | 45520119PUS1     |

FORM PCT/DO/EO/905 (371 Formalities Notice)

**COPY**

Docket No.: 4252-0119PUS1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:  
Masaru TANAKA et al.

Application No.: 10/580,648

Confirmation No.: 5783

Filed: May 25, 2006

Art Unit: 1762

For: CELL GROWTH INHIBITING FILM,  
MEDICAL INSTRUMENT AND DIGESTIVE  
SYSTEM STENT

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Examiner: Not Yet Assigned

**LETTER SUBMITTING ADDITIONAL DOCUMENTS FOR ENTERING NATIONAL  
PHASE FOR A PCT APPLICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Under the provisions of 37 C.F.R. 1.495, attached hereto are the following additional items necessary for entering the national phase in connection with the above-identified PCT international application.

- Attached is a copy of the Notification of Missing Requirements (371 Formalities Letter).
- Attached is the Executed Declaration and Power of Attorney  Original  Photocopy.
- The specification attached to the executed Declaration and Power of Attorney is a true copy of the specification that was filed in the U.S. Patent and Trademark Office on May 25, 2006, including any amendments thereto (if applicable) filed on even date therewith.

The undersigned hereby declares that "Attorney Docket No. 4252-0119PUS1" on page 1 of the attached Inventors' Declaration corresponds to Appl. No.10/580,648 filed May 25, 2006 entitled "CELL GROWTH INHIBITING FILM, MEDICAL INSTRUMENT AND DIGESTIVE SYSTEM STENT."

Attached is an English language translation of the above-identified application that was filed in a foreign language, which should be used as the copy for examination purposes.

See the attached Translator's Verification; or

The undersigned states that the English translation attached hereto is a true and correct translation of the application as originally filed in a foreign language.

Attached are 0 sheet(s) of drawings. Please substitute these replacement drawings for the corresponding 0 sheet(s) of drawings on file in the above-identified application.

Attached are substitute claims commencing on a separate sheet in accordance with 37 C.F.R. § 1.75(h).

Attached is a substitute abstract commencing on a separate sheet in accordance with 37 C.F.R. § 1.72(b).

Attached is a substitute specification that complies with 37 C.F.R. § 1.52. The substitute specification does not contain new matter.

Attached is a preliminary amendment.

Applicant claims small entity status under 37 C.F.R. § 1.27.

Attached is a Supplemental Application Data Sheet (ADS).

Submitted concurrently herewith under separate cover for recording is an Assignment.

Attached is a Petition for Extension of Time.

- The Government Filing Surcharge for late filing of oath and/or declaration in the amount of \$130.00 in accordance with 37 C.F.R. §§ 1.494 and 1.492 was previously paid for concurrently with the filing of the application on May 25, 2006.
- Attached hereto is the fee transmittal listing the required fees.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: **FEB 12 2007**

Respectfully submitted,

By   
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